

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS
EASTERN DIVISION

In Re:)
DEBRA JEAN SILVA,) CHAPTER 7
Debtor.) CASE NO. 09-19222-WCH

SOVEREIGN BANK,)
Plaintiff,)
v.)
ROBERT B. OUR CO., INC., ROCKLAND)
TRUST COMPANY, EDWARD E. VEARA,)
HALLSMITH-SYSCO FOOD SERVICES,)
LLC, ROYAL BANK AMERICA) ADVERSARY PROCEEDING
LEASING, JOHN F. NOONS, INC., THE) CASE NO. 10-01205
COMMONWEALTH OF)
MASSACHUSETTS, NICKERSON)
LUMBER COMPANY, CAPE TIP)
SEAFOOD, INC., TIMEPAYMENT)
CORP., 85-87 SHANKPAINTER ROAD,)
LLC, CLEMENT A. SILVA, individually)
and as Trustee of the CLEMDEB REALTY)
TRUST, DEBRA J. SILVA, as Trustee of)
the CLEMDEB REALTY TRUST, and)
STEPHEN E. SHAMBAN, as Chapter 7)
Trustee,)
Defendants.)

CERTIFICATE OF SERVICE RE: NONEVIDENTIARY HEARING REGARDING
CHAPTER 7 TRUSTEE, STEPHEN E. SHAMBAN'S,
MOTION TO SUBSTITUTE AS PLAINTIFF

I, Jenny L. Redden, counsel to the Plaintiff, Stephen E. Shamban, Chapter 7 Trustee, herein certify that on October 6, 2010, I electronically filed with the Clerk of the Bankruptcy Court: CERTIFICATE OF SERVICE RE: NONEVIDENTIARY HEARING REGARDING CHAPTER 7 TRUSTEE, STEPHEN E. SHAMBAN'S, MOTION TO SUBSTITUTE AS PLAINTIFF and served same in the following manner upon the interested parties:

E-Mail Service: via the Court's CM/ECF system which sent notification of such filing to the following:

David T. Mazzuchelli mazzucheld@dor.state.ma.us
Jessica Murphy jmurphy@mirickoconnell.com
Brian D. Widegren brianwidegren@gmail.com
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Mail Service: via Regular, first-class United States mail, postage fully pre-paid, addressed to:

85-87 Shank Painter Road, LLC
85 Shank Painter Road
Provincetown, MA 02657-1344

Cape Tip Seafood, Inc.
45A Court Street
Provincetown, MA 02657

John F. Noons, Inc.
6 Noons Heights Road
North Truro, MA 02652

Kendra Mayer
Haynes and Boone, LLP
2323 Victory Avenue
Dallas, TX 75219

Nickerson Lumber Company
465 Route 134
P.O. Box 1418
South Dennis, MA 02660-1418

Royal Bank America Leasing
550 Township Line Road, #425
Blue Bell, PA 19422

Clement A. Silva
PO Box 402
N. Truro, MA 02652-0402

Debra J. Silva
PO Box 402
N. Truro, MA 02652-0402

Timepayment Corp.
10M Commerce Way
Woburn, MA 01801

Edward E. Veara
828 Main Street
Dennis, MA 02638-1904

Respectfully submitted,

For the Defendant,
Stephen E. Shamban, Chapter 7 Trustee,
By his Attorneys,

Dated: October 6, 2010

By:

/s/ Jenny L Redden
Jenny L. Redden, Esquire, BBO #645667
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UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

In Re: Debra Jean Silva
Debtor,

Related Bankruptcy Case: 09-19222
Chapter 7
Judge William C. Hillman

Sovereign Bank
Plaintiff
vs.
Robert B. Our Co., Inc.
Defendant

Adversary Proceeding: 10-01205

NOTICE OF NONEVIDENTIARY HEARING

PLEASE TAKE NOTICE that a hearing will be held on **10/29/10 at 09:30 AM** before the Honorable Judge William C. Hillman , Barnstable Town Hall,, 367 Main Street, Hyannis, MA 02601 to consider the following:

Hearing scheduled for 10/29/2010 at 09:30 AM Barnstable Town Hall, 367 Main Street, Hyannis, MA 02601 for [25] Chapter 7 Trustee, Stephen E. Shamban's, Motion to Substitute as Plaintiff.

OBJECTION/RESPONSE DEADLINE:

(If left blank, response deadline shall be governed by the Local Rules.)

THE MOVING PARTY IS RESPONSIBLE FOR:

1. Serving a copy of this notice upon all parties entitled to notice forthwith; and
2. Filing a certificate of service with respect to this notice (7) days after the date of issuance set forth below. If the hearing date is less than (7) days from the date of issuance, the certificate of service must be filed no later than the time of the hearing. **If the movant fails to timely file a certificate of service, the court may deny the motion without a hearing.**

NOTICE TO ALL PARTIES SERVED:

1. **Your rights may be affected.** You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.
2. Any request for a continuance **MUST** be made by **WRITTEN MOTION**. (See MLBR 5071-1)
3. The above hearing shall be nonevidentiary. If, in the course of the nonevidentiary hearing, the court determines the existence of a disputed and material issue of fact, the court will schedule a further evidentiary hearing. If this is a hearing under section 362, it will be a consolidated preliminary and final nonevidentiary hearing unless at the conclusion thereof the court sets down an evidentiary hearing.
4. Deadlines to file an objection or response shall be governed by the Local Rules, unless otherwise ordered by the Court. If no objection is timely filed, the Court, in its discretion, may cancel the hearing and rule on the motion without a hearing or further notice. [See MLBR 9013-1(f)].

Date:10/5/10

By the Court,

Patricia Heaney
Deputy Clerk
617-748-5337